



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

## **MEMORANDUM**

**Date:** December 29, 2015

**To:** Robert Best, Chairman, & Members, Planning Board

**From:** Jillian M. Harris, AICP, Planning and Zoning Administrator

**Subject:** **Anheuser-Busch, LLC. (applicant/owner)** – Review for acceptance and consideration of Final Approval for a modification to a previously approved site plan, to construct four building additions totaling 70,035 s.f. and associated site improvements at the existing brewery. The site is located at 221 D.W. Highway in the I-1 (Industrial), Aquifer Conservation Districts and 100-year and 500-year Flood Hazard Areas. Tax Map 3D, Lot 031.

### **Background:**

The subject Anheuser-Busch, LLC property comprises approximately 196 acres and is located in the I-1 (Industrial), Aquifer Conservation Districts and 100-year and 500-year Flood Hazard Areas. Abutting the property to the north is land owned by Eversource (formerly PSNH) and other business entities. Land to the east is owned by Anheuser-Busch, the B&M railroad and the Merrimack River. The wastewater treatment plant, land owned by the Town, a residential tract and raw land border the property to the south. To the west, and across Daniel Webster Highway, is Kolsman, Inc., land owned by the Town, BAE and additional tracts. In general, the properties surrounding the site are a mix of industrial and municipally-owned parcels. The site is serviced by municipal sewer and water by Pennichuck Water Works.

The applicant received conditional final approval at the April 21, 2015 Planning Board meeting to construct three separate additions to the main building. Two of the additions (totaling approximately 50,000 SF) were to function as warehousing and packaging facilities. The third addition (5,300 SF) would be for brewing. Site improvements associated with the building additions included parking, underground utilities and a subsurface stormwater management area.

The applicant is proposing to modify the previously approved site plan, to construct four building additions totaling 70,035 s.f. and associated site improvements in order to improve its overall brewing and packaging capabilities. The proposed project will be constructed in two phases. Phase I will include the brewery and specialty grains handling areas. Phase II will include the warehousing and packaging additions along with an expansion of the Phase I brewery addition.

**Completeness:** Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow the Board to make an informed decision.

**Waivers:** The applicant requests the same waivers granted with the original approval from Section 7.05.D.4 and 7.05.D.15 (boundary and topographic survey of the entire lot), Section 10.01 (landscape plan) and Section 11.04(2) (photometric site lighting plan). The Board will also need to determine if a waiver is necessary from Section 7.05.D.19 – sidewalks.

**Recommendation:** Staff recommends that the Board vote with respect to any requested waivers utilizing the criteria from RSA 674:44:

- Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; **or**
- Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

**The planning staff recommends that the Board grant conditional final approval to the amended application with the following precedent conditions to be fulfilled within 2 years and prior to plan signing, unless otherwise specified:**

1. Final plans and mylars to provide all professional endorsements and be signed by all property owners;
2. The applicant shall obtain all necessary state permits (including NHDES Alteration of Terrain and an updated NHDOT Driveway permit, as applicable), provide copies of the permits to the Community Development Department file, and note the approvals in the notes on the plan;
3. The applicant may be required to address forthcoming comments (as applicable) from the Lower Merrimack River Local Advisory Committee (LMRLAC) if required by NHDES as part of the Alteration of Terrain Permit;
4. The applicant may be required to receive a Letter of Map Amendment (LOMA) from the Federal Emergency Management Agency (FEMA), if determined applicable;
5. The applicant shall note any waivers granted by the Board on the plan (including Section, and date granted) as applicable;
6. The applicant to add a note to the plan indicating which sheets are to be recorded at HCRD and that a full set is on file with the Community Development Department;
7. The applicant shall address any forthcoming comments from the Fire Department (as applicable);
8. The applicant shall address all applicable comments from the Town's peer review consultant, CLD;
9. The applicant shall address any forthcoming comments from the Wastewater Division (as applicable);
10. The applicant shall address any forthcoming comments from the Conservation Commission (as applicable);
11. The applicant shall submit building elevations subject to review and approval by the Community Development Department staff;

**Staff also recommends that the following general and subsequent condition be placed on the approval:**

1. The applicant is responsible for recording the plan or receiving a waiver from the Planning Board (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. If the applicant is not granted a waiver, the applicant is also responsible for providing proof of said recording(s) to the Community Development Department.

cc: File  
Correspondence  
Anheuser-Busch, LLC, Applicant/Owner

Ec: Tom Zajac, P.E., Hayner/Swanson, Inc.  
Paul Liversidge, LLS, Hayner/Swanson, Inc.  
Fire Captain John Manuele  
Ken Conaty & Jim Tayler, Wastewater Division

Tim Tenhave, Conservation Commission Chair  
Heidi Marshall & Paul Konieczka, CLD Consulting Engineers  
Building Official Fred Kelley  
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